

DRAFT
TOWN BOARD MEETING January 19, 2005

Supervisor Pagonos opened the Regular Town Board meeting at 9:30 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagonos; Town Board members, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Engineer, John Andrews; Christopher Colsey, MDD; Robert Feldman, Esq. ? Splashdown; Aaron Justice, Camile Price, Matthew Foster, William Ross, and Town Clerk, Darlene Bellis

Absent: Town Board member, Steve Ferguson; Town Attorney, Ronald Blass

ANNOUNCEMENTS

None

Camile Price, County Legislator, gave her report from the Dutchess County Legislature. The County budget was proposed and the total appropriation was \$354 million dollars. A special meeting was held in regards to the Dutchess County Jail expansion, it was her understanding that if the County did not approve the bond of \$560,000 that the variance would not have been granted and the county would have had to house out more prisoners. This was a no brainer because this will actually save the County money.

Because the Dutchess Stadium is in the Town of Fishkill, she thought this would be an item of interest for the Board. The Hudson Valley Corporation sent the County \$105,000 last year representing ticket taxes for the County distribution money. Some of this money will be used to pay the \$338,000 debt for 2005. The debt will be completely paid off in 2008.

The January meeting will be housekeeping resolutions and will be a short meeting. A resolution will be proposed to approve the center for business industry on repairs of parking Lot E of the Dutchess Community College.

APPROVAL OF MINUTES

Supervisor Pagonos advised the Board that the following minutes were distributed for their review and would entertain a motion to approve said minutes: August 04, 2004; August 18, 2004; September 01, 2004; September 15, 2005; October 06, 2004; October 20, 2004; November 03, 2004; November 17, 2004; December 01, 2004; December 15, 2004; December 22, 2004; January 07, 2005

Motion made by Councilwoman Malvarosa to approve above mentioned minutes as submitted. Seconded by Councilman Zack

All Ayes

Motion Carried

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PRESENTATION(s)/DISCUSSION(s)

Lori Joseph Builders, Inc. - Proposed Subdivision

Supervisor Pagones read (copy attached to original minutes) letter from Gary Joseph in regards to Lori Joseph Builders, Inc. proposed subdivision - Route 9D.

John Andrews explained that Mr. Joseph has an application before the Planning Board. He explained the location of the proposed subdivision. Stated there is an easement for a right-of-way containing the existing Church driveway and a modification to the design will be needed. Mr. Joseph needs help in getting a meeting with the other owners, (the church, Toll Brothers/Kurt Kuehner), to discuss the matter.

Supervisor stated her office will do such.

Chelsea Waterfront Development Rezone Application

Supervisor Pagones read (copy attached to original minutes) a letter from Anthony Russo, ECS, requesting the status of Chelsea Waterfront Development Rezone Application.

Supervisor Pagones read (copy attached to original minutes) memo from Christopher Colsey, MDD, in regards to the Chelsea Waterfront Development Rezone Application stating the Planning Board offers no exception to the Town Board's intention to serve as Lead agency in the above matter.

John Andrews, stated the Board accepted the application and circulated lead agency notice, no other notices were received and recommend that the Board accept lead agency and begin review.

Motion made by Councilman Zack to accept lead agency status and begin necessary review and paperwork. Seconded by Councilwoman Malvarosa

All Ayes

Motion Carried

MOTION(s) TO APPROVE/ADOPT

Association of Towns - Certificate of Designation

Motion made by Councilman Zack to duly designate Joan A. Pagones and Steve Ferguson to attend the Annual Business Session of the Association of Towns of the State of New York and to cast the vote of the aforesaid. Seconded by Councilwoman Malvarosa

All Ayes

Motion Carried

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Local Law amending zoning map - R-40 to GB

Supervisor Pagones read (copy attached to original minutes) a resolution adopting the local law amending the zoning map of Chapter 150, "Zoning" of the Town Code to change the district designation of certain real property from R-40 to GB.

Town Engineer, John Andrews, stated that this was not ready to go with this.

Robert Feldman addressed the board saying they are stuck. He stated they had no choice but to retain a consultant who feels sorry this is happening and had no solution. With the snow on the ground, the consultant cannot do anything. They may lose the opportunity to build the wave pool for this coming season and everyone loses. They will not give up and hopefully will see this Board at the next meeting.

Cablevision Corporation Agreement

Supervisor Pagones read (copy attached to original minutes) an agreement to enter into a franchise agreement with U. S. Cablevision Corporation and made a Motion to approve and authorize the Supervisor to execute a proposed contract granting Cablevision of Wappingers Falls, Inc. a non-exclusive franchise to construct, own and operate a cable television system within the Town of Fishkill. Seconded by Councilman Leenig

Roll Call Councilman Ferguson absent

Councilman Leenig aye

Councilwoman Malvarosa aye

Councilman Zack aye

Supervisor Pagones aye

Motion Carried

Fishkill Landing at the Waterfront DEIS review

Town Engineer, John Andrews, stated he had asked for additional time which fell amongst the holidays and with the extent to the document, he did not have time to fully review it. He asked for an extension to the 02-02-2005 meeting.

Law Enforcement Systems, Inc. - Parking Ticket Collection

Table to 02-02-2005 meeting.

Legislative Grant Award - Police Department

Motion made by Councilman Leenig to authorize the Supervisor to sign the grant award in the amount of \$36,000. Seconded by Councilman Zack

All Ayes

Motion Carried

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Change of grade status - Recreation Personnel

Supervisor Pagonis read (copy attached to original minutes) a memo from Susan Gromkowski requesting the upgrade of the Recreation Leader positions from Grade 1 to Grade 3; and the Recreation Director position from Grade one to grade two.

Motion made by Councilman Zack to approve the upgrade of salaries as requested above to be effective on the next pay period. Seconded by Councilwoman Malvarosa
All Ayes

Violators to court for court disposition
Tabled to 02-02-2005 meeting.

MOTION(s) TO ACCEPT RESIGNATION

None

MOTION(s) TO APPOINT

None

BUDGET TRANSFERS

Motion made by Councilwoman Malvarosa to approve the budget transfers as submitted as follows:

Mun. Dev. \$ 810 intra department transfer for annual building software fees, installation and maintenance

Recreation \$ 85 to cover 2004 recreation mileage
(copies attached to original minutes)
Seconded by Councilman Leenig
All Ayes
Motion Carried

NEW and OLD BUSINESS

Councilwoman Malvarosa

Moving ahead on animal disaster plan, meetings are being held the second Monday of every month.

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Councilman Zack

Motion made by Councilman Zack to re-appoint Ronald Critelli to the Zoning Board of Appeals with an expiration date of 12-31-2009. Seconded by Councilman Leenig

All Ayes

Motion Carried

Councilman Ferguson

absent

Councilman Leenig

Going to send phone cards to middle east and asked Sue Kelly and Steve Saland for a list of those serving from this area.

Big brothers / Big Sisters Bowl-a-thon will be held in April, he will be the chair for that committee.

Supervisor Pagones

Supervisor Pagones read (copy attached to original minutes) the service contract for 2005 in the amount of \$1540.00 from the Receiver of Taxes, James A. Foy.

Motion made by Councilman Leenig to approve the above mentioned service contract as submitted. Seconded by Councilwoman Malvarosa

All Ayes

Motion Carried

Supervisor Pagones announced that her annual State of Town Address will be held on 01-26-2005 at 7:30 pm

Town Engineer, John Andrews, stated he had a written request for the performance bond reduction in the matter of Stonykill Woods Subdivision and in the matter of the construction of Merritt Boulevard. Toll Brothers have undertaken both projects, Stonykill Woods is virtually complete, a reduction is in order and he was in the process of calculating the final numbers, but in order to proceed, they need authorization from the Town Board in order for Planning Board to hold public hearing for bond reductions.

Motion made by Councilman Zack to authorize the Planning Board in both cases to set the necessary public hearings for bond reduction on the two above stated projects.

Seconded by Councilwoman Malvarosa

All Ayes

Motion Carried

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PRIVILEGE OF THE FLOOR FOR PUBLIC COMMENTS

Motion made by Councilman Zack to go into the privilege of the floor for public comments. Seconded by Councilman Leenig

All Ayes

Motion Carried

Matthew Foster, stated he was before the Board late last year in regards to the speed limit signs in the area of Glenham School. He was under the assumption that he would be called when an inspection of the site would be performed. A site inspection was done with the police chief, highway superintendent, and town engineer without calling him to walk with them.

Mr. Foster was wondering what the outcome of that inspection was. His concern is for the children and requested over and over again signs to be put up.

After a lengthy dialogue with Mr. Foster, John Andrews, and Police Chief in regards to state law requiring certain criteria for speed signs, etc. Mr. Foster was informed by the Board that such signs would not be installed. The Board had to follow the strict criteria of the State. Mr. Foster was given a copy of the speed limit evaluation Glenham School Area Chase Drive, Town of Fishkill report written by Town Engineer, John Andrews.

Regular order of business

Motion made by Councilman Zack to go back into the regular order of business.

Seconded by Councilman Leenig

All Ayes

Motion Carried

Supervisor Pagones

Supervisor Pagones read (copy attached to original minutes) a resolution approving the issuance of the annexed request for proposals to solicit proposals by qualified companies for an energy performance project which will identify means to achieve the goals.

Supervisor Pagones read (copy attached to original minutes) the Request For Proposal for the Provision of Energy Performance Services to be received by the Town Clerk's office no later than 3:30 pm on February 03, 2005 instead of 02-23-2005.

Supervisor Pagones made a Motion to approve the issuance of the annexed request as stated in resolution above and to approve the RFP to be done on February 03, 2005 at 3:30 pm. Seconded by Councilman Zack

Roll Call Councilman Ferguson absent

Councilman Leenig aye

Councilwoman Malvarosa aye

Councilman Zack aye

Supervisor Pagones aye

Motion Carried

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ADJOURNMENT

Motion made by Councilman Zack to adjourn the meeting. Seconded by Councilwoman Malvarosa

All Ayes

Motion Carried

Meeting adjourned at 10:30 am

Respectfully submitted,

Darlene Bellis,

Town Clerk